



UTILITY PATENT

B&D No. TN-2547

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of: **Craig A. SCHELL et al.**

Serial No.: 10/057,476

Examiner: **L. Tran**

Filed: **January 24, 2002**

Group Art Unit: **3721**

For: **FASTENER TOOL**

Assistant Commissioner for Patents
Washington, DC 20231

REPLY BRIEF

I, Adan Ayala, Reg. No. 38,373, certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 25, 2004

Adan Ayala

Dear Sir:

This is in response to the Examiner's Answer mailed April 29, 2004, for the above-identified application. The present reply brief is being timely filed, as required under 37 CFR § 1.193(b)(1).

The Examiner raises several arguments to support the contention that Foster is analogous art, even though it relates to "manually operated pump dispensers." Foster, col. 1, lns. 4-5.

The Examiner first argues that *In re Oetiker* is factually distinguishable from the present facts and thus inapposite to the present case. In particular, the Examiner argues that the case is distinguishable because the "purpose and application of hooks applied to hose clamps and hooks